

**MINUTES OF THE FAIRFAX COUNTY
TENANT-LANDLORD COMMISSION**

April 19, 2007

Fairfax County Government Center,
12000 Government Center Pkwy.
Fairfax, Virginia 22035
Conference Room #9
Chairperson, S. Liff, presiding

Attendees:

Commissioners: Aho,
Kocsis, Liff, McRae, Walde

Absentees:

Geier-Smith, Rosier, Chelena, Gomez

Staff Attending:

Michael S. Liberman, Acting Director
Cable Communications and Consumer
Protection
Susan C. Jones, Chief
Consumer Affairs Branch
Vee Johnson, Staff Liaison
Consumer Affairs Branch

The meeting was called to order at 7:33 PM by Chairperson Liff.

Minutes

The March 15, 2007 meeting minutes were approved.

Reports

- **Chairperson's report** – Chairperson Liff thanked the commissioners in attendance and announced the desire to move forward with setting an agenda that will provide greater visibility for the commission.
- **Committee reports** - There were no Committee reports.
- **Staff reports** – Liaison Johnson provided the following summary of the informational items:
 - Fairfax County has preserved 1,361 affordable housing units based on the action in 2005 to set aside one penny of every dollar brought in by the real estate tax for affordable housing.
 - Liaison Johnson suggested that the commissioners review the Bylaws as required by Article X11. A copy of the Bylaws was distributed to the commissioners. A motion was made and seconded to review the Bylaws at the May meeting.

- Liaison Johnson reported the following staff activities underway:
 - Update of the Tenant-Landlord Commission Sign
 - Collaboration of a resource list for tenants with the Property Maintenance Section of The Department of Zoning, and the Environmental Health Section of the Health Department.
 - Development of a workshop with the Department of Housing at South County for landlords who participate in the County's Federal Housing Choice Voucher program.
- Chief Jones reviewed the current statistical reports.

Commission Matters

- Commissioner Aho suggested a letter of recognition for Liaison Wagner be sent to the Board of Supervisors. Commissioners Aho and Chairperson Liff will prepare a letter for review by commissioners at the May meeting.
- Commissioner McRae opened a discussion regarding the commission's role and preparedness to conduct arbitrations. Staff will provide copies of the current arbitration brochure at the May meeting. Staff will provide a list of upcoming arbitrations conducted by the Consumer Protection Commission so commissioners can observe a proceeding. Staff also informed the commissioners that a mock arbitration can be arranged if desired.

Old Business

1. Tenant-Landlord program for Cable Channel 16
 - Acting Director Liberman provided input and information to the commissioners regarding the video tools available. The next production quarter starts July 1.
 - The commissioners are interested in a 30 minute Consumer Focus program production.
 - Staff will arrange a viewing of a Consumer Focus program related to Tenant issues for the May meeting.
 - Acting Director Liberman suggested the commissioners designate one commissioner who will have direct input during the production process and provide input on behalf of all commissioners.
2. Transportation Oriented Development Study (TOD)
 Chairperson Liff informed the commissioners that the TOD report is currently online. No comments will be provided by the commission.
3. Public Forum by TLC
 Commissioner Aho would like to defer plans for a public forum in favor of joining events scheduled throughout the county.

New Business

Staff summary of tenant-landlord activities

- Liaison Johnson informed the commissioners of some events planned within the county for May 2007. Commissioners will consider participating in already scheduled events for visibility and the opportunity to talk with citizens. The following events are upcoming:
 - 5/19/07-McLean Day at Lewinsville Park in Supervisor DuBois's district, from 11am-5pm.
 - 5/23/07-Spring Town Meeting in Supervisor Smythe's district, Kings Park Library Meeting Room.
- Commissioners will consider participating in community events based on the tenant population in the district where the event is happening.
- Liaison Johnson will provide information for scheduled activities for the upcoming months.

Future Monthly Meeting Topics

- Commissioners brain stormed topics. The list is attachment C. Discussion of topics will continue at the May meeting.

The remaining agenda topics were deferred until the May meeting.

Adjournment: The meeting was adjourned at 9:17 p.m.

**TENANT-LANDLORD COMMISSION
FAIRFAX COUNTY, VIRGINIA**

BYLAWS

ARTICLE I

NAME:

The name of this organization is the Fairfax County Tenant-Landlord Commission, hereinafter referred to as the Commission.

ARTICLE II

THE COMMISSION:

1. PURPOSE:

- (a) The Commission shall provide information to the public concerning the rights and responsibilities of tenants and landlords.
- (b) The Commission shall forward to the Board of Supervisors, as appropriate, recommendations for changes in legislation at all levels of government.
- (c) The Commission, or its duly appointed representatives, shall represent the County interests concerning tenant-landlord matters before judicial, legislative, administrative, and other public or private bodies upon direction of the Board of Supervisors.
- (d) The Commission shall advise the Board of Supervisors about the nature, causes, and possible solutions to tenant-landlord problems.
- (e) The Commission may hold public hearings and report its findings to the Board of Supervisors on tenant-landlord issues that affect the public interest.
- (f) The Commission shall make tenants and landlords aware of the conciliation and mediation services available through the Fairfax County Department of Consumer Affairs.
- (g) The Commission may arbitrate tenant-landlord complaints, upon agreement of the parties, pursuant to the Rules of Procedures adopted by the commission.
- (h) The Commission shall report periodically to the Board of Supervisors on the activities of the Commission.

2. POWERS:

In carrying out its duties as described in this section, the Commission shall have the power to make findings of facts and to make and adopt such rules of procedure, which shall be published, as maybe necessary or proper for carrying out its functions under the provisions of these Bylaws.

ARTICLE III

COMMISSION MEMBERSHIP, OFFICERS & STAFF SUPPORT

The Fairfax County Tenant-Landlord Commission shall be made up of ten (10) members, all appointed by the Board of Supervisors and representing tenants (3 members), landlords (3 members), and the community at large (4 public members), one of whom shall be a condominium owner. Regular appointments to the Commission shall be for terms of three (3) years ending in January. There shall be an annual election of officers by the membership of the Commission. The Chairperson shall be elected from the public members of the Commission. One Vice-Chairperson shall be elected from the tenant members and one Vice-Chairperson shall be elected from the landlord members of the Commission. Any member of the Commission is eligible to serve as Secretary. Staff support for the Commission shall be provided by the Department of Consumer Affairs.

ARTICLE IV

ELECTION OF OFFICERS:

1. Biennial (every two years) election of the Chairperson and annual election of the Vice-Chairpersons and Secretary shall be scheduled for the first regular commission meeting after January of each year. The term of each office shall commence with the first meeting after the election and shall terminate when a successor takes office. If an office becomes vacant for any reason, it shall be filled by an election at the next regular meeting having a majority of members present. The newly elected officer shall complete the unexpired term of the officer succeeded.
2. Two months prior to the meeting at which officers are to be elected, a slate of candidates shall be nominated from the floor. After nomination, each candidate shall be polled on his/her willingness and ability to serve as an officer of the Tenant-Landlord Commission.

ARTICLE V

DUTIES AND POWERS OF OFFICERS:

1. Chairperson: In addition to the well-recognized and inherent duties and powers of the office of the Chairperson, the Chairperson signs all actual orders necessary to carry out the will of the Commission. The Chairperson has the authority to delegate appropriate functions to a member or members of the Commission and to request staff assistance from the Director of the Department of Consumer Affairs. The Chairperson presides over meetings of the commission and is eligible to vote at all times. The Chairperson appoints standing committees and their Chairpersons with the consent of the majority of the Commission, and appoints special committees and their Chairpersons unless overruled by a majority of the Commission.

2. Vice-Chairperson: In event of the absence of the Chairperson, a Vice-Chairperson shall perform all of the duties and exercise all of the powers of the Chairperson. The Vice-Chairpersons shall alternate in their performance of the absent Chairperson's duties.

ARTICLE VI

COMMITTEES:

1. The Commission may establish as many standing and special committees as may be required to perform its function. Standing committees are the following: (1) Legislative; and (2) Promotion and Publicity. Creation of any new standing committee shall require the approval of a majority of the Commission members.
2. The Commission shall provide mediation and arbitration services. All Commission members shall be expected to participate in the provision of these services, and shall serve on mediation and arbitration panels at the call of the Chairperson. Each such panel shall be composed of one representative of each group named in Article III. The Chairperson of each such panel shall be the public member. All panel members shall follow the Rules of Procedure as set forth in the Tenant Landlord Arbitration pamphlet of March 20, 1975.

ARTICLE VII

MEETINGS OF THE COMMISSION:

1. The Commission shall normally meet once each month, usually on the third Thursday, at the call of the Chairperson; and at other times upon the call of any five (5) members with at least five (5) days notice given to all members. Meetings shall be held at a time agreed to by a majority of the Commission members, and at a place arranged for by the staff of the Department of consumer Affairs. Committee meetings may be held at the call of the Chairperson or at the request of two members, with notice to all members of the committee.
2. All meetings of the Commission shall be open to the public.
3. The Department of consumer Affairs shall provide staff support and maintain records and minutes.

ARTICLE VIII

QUORUM AND PROXIES:

Fifty percent (50%) of the Commission members shall constitute a quorum. In the event that neither the Chairperson nor either of the Vice-Chairpersons is available, the public member present with the longest tenure on the Commission shall act as Chairperson. There shall be no proxies.

ARTICLE IX

VOTING:

In making any recommendations, adopting any plan, or approving any proposal, action shall be taken by a majority vote of members present and voting unless otherwise herein provided. Upon the request of any commissioner, the vote of each commissioner on any issue shall be made a matter of record.

ARTICLE X

REMOVAL:

Any member(s) may be recommended to the Board of Supervisors for removal from the Commission for cause by a two-thirds majority vote of all of the members. Two weeks written notice of charges and a hearing before the Commission shall be given before a vote is taken.

ARTICLE XI

ATTENDANCE AND PARTICIPATION:

Any member who misses three (3) consecutive meetings or five (5) meetings within a 12-month period, or who fails to participate in the committee work of the Commission without good cause acceptable to a majority of the other Commission members shall be subject to removal from the Commission under the provisions of Article X.

ARTICLE XII

AMENDMENT OF BYLAWS:

1. Any proposed amendment to these Bylaws shall be presented in writing to the members of the Commission at a regular or special Commission meeting and shall not be subject for vote until the next regular or special Commission meeting which convenes at least 30 days following the date such proposed amendment was presented.
2. Any or all portions of these Bylaws may be amended or repealed, or new Bylaws adopted, by majority vote of all members of the Commission. At least once yearly, the Commission shall review the Bylaws to determine their continued efficacy and applicability to the experiences of the Commission. The Commission shall undertake such changes, if deemed necessary, to reflect the operations and functions of the Commission or to provide for their improvement.

ARTICLE XIII

PARLIAMENTARY PROCEDURES:

In all matters of parliamentary procedure not specifically covered by these Bylaws, Robert's Rules of Order, newly revised, shall obtain.

EFFECTIVE DATE:

These Bylaws shall become effective immediately upon adoption by vote of a majority of the Commission members in accordance with Article XII.

AMENDED: November 19, 1997

Discussion Topics for the Tenant-Landlord Commission
(Notes from April 15, 2007 Meeting)

- (1) Noise from tenants such as loud music, congregating, smoking or drinking in the common areas, stairwells and construction noise.
- (2) Relocation of tenants due to renovations or condo conversion. Who can help?
- (3) Maintenance of exterior of the property, such as snow & ice removal, and overflowing trash and garbage.
- (4) Maintenance inside, up keep of appliances, HVAC units, plumbing, and electrical facilities.
- (5) Overcrowding in units and parking, health and safety issues created by over occupancy.
- (6) Parking availability in apartment complexes
- (7) Fees, in addition to rent, such as trash removal, water, gas, electricity, amenities for pool, fitness center etc.
- (8) Landlord concerns

These topics should be considered using communication tools & community outreach events.